

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.7509 OF 2007

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DATED: 12-04-2007

BETWEEN

M. Dayasagar Reddy,
S/o. M. Narasimha Reddy,
R/o. Pulikallu Village,
Penumuru Mandal,
Chittoor District.

...PETITIONER

AND

District Collector & Licensing Authority
Under the Arms Act, 1959, Chittoor District,
Chittoor and another.

...RESPONDENTS

ORDER:

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Petitioner is in possession of Arms Licence bearing No.A/497/556/CTR in respect of DBBL gun since 1991 issued under the provisions of the Arms Act, 1959 (for short 'the Act') and the Rules made thereunder. The said licence was renewed from time to time. While so, the petitioner made an application dated 22.11.2005 for renewal of his gun licence by enclosing challan for an amount of Rs.220/- towards renewal fee and the same has been rejected vide endorsement dated 04.10.2006 in LPR S.R.Bo.4/PNMR/06 which reads as follows:

"License Holder Sir M. Dayasagar Reddy is hereby informed
that his gun license cannot be renewed.
Gun License and challan are returned."

2. Learned counsel for the petitioner submits that the respondents can

refuse to renew the gun licence if the licence holder is involved in any offence and if he is a factionist and if the said weapon is used in any offence. He further submits that the neither the petitioner is a factionist nor he is involved in any offence, therefore, there cannot be any justification on the part of the first respondent to refuse to renew the licence.

3. I am of the opinion that as the impugned endorsement refusing to renew the licence has been issued without assigning any reason, the same cannot be sustained, as the petitioner is entitled to know the reasons for refusal to renew his licence so as to enable him to comply with the same.

4. Having regard to the facts and circumstances of the case, the impugned order of the first respondent is set aside and he is directed to reconsider and dispose the application of the petitioner for renewal of the gun licence, after giving reasonable opportunity to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

V. ESWARAIAH, J

April 12, 2007
DSK